

## NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN, that sealed proposals for the Erie County Sewer District Nos. 3 and 4 Contract No. 71 will be received by the Commissioner of the Erie County Department of Environment and Planning on October 25, 2012 until 2:00 P.M., local time, at 95 Franklin Street, Room 1034, Buffalo, New York, 14202, at which time they will be publicly opened and read aloud in Room 1004.

The project consists of several spot repairs and sewer replacement in kind in the Village of Orchard Park and the Towns of Lancaster and Hamburg.

Bidders are advised that a pre-bid meeting for the construction of this project is scheduled for October 17, 2012 at 10:00 A.M., Room 1004, 95 Franklin Street, Buffalo, New York.

Copies of the contract documents, plans and specifications may be examined and/or purchased at the office of the Erie County Department of Environment and Planning, 10<sup>th</sup> Floor, 95 Franklin Street, Buffalo, New York 14202.

The deposit for each set of contract documents shall be \$100.00 in the form of two checks or money orders, each in the amount of one-half the deposit, and made payable to the Erie County Comptroller.

The envelope containing the bid must be sealed, addressed to the Erie County Commissioner of Environment and Planning and must be clearly and correctly designated as "Sewer Rehabilitation Contract No. 71".

Any bidder returning such plans and specifications in good condition within thirty (30) days following the award of the contract or the rejection of bids will be refunded the full amount of the deposit. Non-bidders will be refunded one-half the deposit. No refund will be made for documents returned after the thirty-day period.

Erie County Sewer District Nos. 3 and 4 are an exempt organization under the Tax Law, and is exempt from payment of Sales and Compensating Use Taxes which are to be incorporated into the project and which are to be separately sold by the Contractors to the Owner prior to incorporation into the project, pursuant to the provisions of the contract. These taxes are not to be included in the bid. Sales tax will be due on all materials purchased by a Contractor which are either "consumable" or rental property used by the Contractor in connection with the construction or repair.

Each proposal must be accompanied by a certified check payable to the Erie County Comptroller or by a bid bond having a surety thereon from a surety company acceptable to the County Attorney, in an amount not less than five percent (5%) of the total base bid, as surety for execution of the contract.

The successful bidder will be required to furnish Payment and Performance Bond, each in an amount equal to 100 percent of the contract award.

Attention of the bidder is called particularly to requirements with respect to conditions of employment to be observed, minimum wages rates to be paid under the contract, Affirmative Action requirements for Equal Employment Opportunity, along with the Minority Business Enterprise Utilization Commitment. Bidders are also advised that Part "A" of the Erie county Minority Business Enterprise/Women's Business Enterprise Utilization Report be submitted with the bid or no later than three (3) business days after the bid opening.

The attention of the bidder is called to the provisions of Article 5A of the General Municipal Law which requires the bidder to execute a certificate of non-collusion and to conform with the other provisions of Article 5A outlined in the specifications. A form for such certificate accompanies the bid form. Unless it is properly executed, the bid will not be accepted.

The right to reject any and all bids, to waive any informalities in, or to make any award to other than the low bidder, should it be deemed to be in the best interest of Erie County Sewer District Nos. 3 and 4 and in accordance with Law, are herewith reserved.

No bidder may withdraw his bid within 45 days after the date set for the opening thereof, but may withdraw same anytime prior to the scheduled time for opening bids.

BY ORDER OF: Joseph L. Fiegl, P.E.  
Deputy Commissioner  
Department of Environment and Planning